

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MARK CHRISTIAN DELOS REYES,

Plaintiff,

v.

**ABUNDANT NURSING, INC.,
MARATHON HEALTH CARE CORP.,
MARATHON GROUP CORP.,
MACDONALD S. TUDEME,
GEORGE L. MAGNO, AND
ELLENGRACE FLORES,**

19 cv 2596 (AMD) (RLM)

Defendants.

**FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.**

★ JUL 09 2019 ★

BROOKLYN OFFICE

ANSWER BY PRO SE DEFENDANT ELLENGRACE FLORES

Pro se defendant Ellengrace Flores¹ hereby answers the allegations in the above-captioned Complaint as follows:

1. Deny.
2. Deny.
3. Lack information or belief sufficient to admit or deny.
4. Lack information or belief sufficient to admit or deny.
5. Deny as to the allegations concerning Ms. Flores. Lack information or belief sufficient to admit or deny the allegations concerning Mr. Magno.
6. [True? If so, admit. If not, deny.]
7. Deny.
8. Deny.

¹ A draft of this pleading was prepared with the help of an attorney in the City Bar Justice Center's Pro Se Legal Assistance Project.

9. Deny.
10. Deny.
11. Deny.
12. Lack information or belief sufficient to admit or deny.
13. [Did you know? If so, admit.]
14. Lack information or belief sufficient to admit or deny.
15. Lack information or belief sufficient to admit or deny.
16. [Is this the correct name of your corporation? Did you incorporate the business?
If not, deny.]
17. Admit as to Ms. Flores's residence in Woodside, NY. Deny that Ms. Flores ran a
business from her home.
18. Admit.
19. Lack information or belief sufficient to admit or deny.
20. Lack information or belief sufficient to admit or deny.
21. Admit.
22. Lack information or belief sufficient to admit or deny.
23. Lack information or belief sufficient to admit or deny.
24. Lack information or belief sufficient to admit or deny.
25. Lack information or belief sufficient to admit or deny.
26. Lack information or belief sufficient to admit or deny.
27. Lack information or belief sufficient to admit or deny.
28. Lack information or belief sufficient to admit or deny.
29. Lack information or belief sufficient to admit or deny.

30. [Do you know? If so, admit.]
31. [Do you know whether this is true? If so, admit.]
32. Admit.
33. Lack information or belief sufficient to admit or deny.
34. Admit the allegations in paragraph 34, except deny that Maxwell Flores offered to put Mr. Delos Reyes in touch with Ms. Flores or that Maxwell Flores describes Ms. Flores as alleged.
35. Deny.
36. Admit.
37. Admit that plaintiff visited Ms. Flores's home for dinner on or about August 29, 2010. Deny the remaining allegations.
38. Admit.
39. Deny.
40. Deny.
41. [Did you bring the plaintiff to Mr. Magno's office? If so, admit that, but deny the rest. If not, deny.]
42. Deny.
43. Lack information or belief sufficient to admit or deny.
44. Deny.
45. Deny.
46. Deny.
47. Deny.
48. Lack information or belief sufficient to admit or deny.

49. Lack information or belief sufficient to admit or deny.
50. Deny.
51. Deny.
52. Deny.
53. Admit that plaintiff told Ms. Flores that he did not have funds available to pay her fees upfront. Lack information or belief sufficient to admit or deny the remaining allegations.
54. Lack information or belief sufficient to admit or deny the allegations as to plaintiff's knowledge. Deny the remaining allegations.
55. Deny.
56. Deny.
57. Deny.
58. Deny.
59. Deny.
60. Admit.
61. Deny.
62. Lack information or belief sufficient to admit or deny.
63. Lack information or belief sufficient to admit or deny.
64. Lack information or belief sufficient to admit or deny, except deny the allegation that plaintiff paid Ms. Flores for Mr. Magno's services.
65. Lack information or belief sufficient to admit or deny.
66. Lack information or belief sufficient to admit or deny.
67. Lack information or belief sufficient to admit or deny.

68. Lack information or belief sufficient to admit or deny.
69. Lack information or belief sufficient to admit or deny.
70. Lack information or belief sufficient to admit or deny.
71. Lack information or belief sufficient to admit or deny.
72. Lack information or belief sufficient to admit or deny.
73. Lack information or belief sufficient to admit or deny.
74. Lack information or belief sufficient to admit or deny.
75. Lack information or belief sufficient to admit or deny.
76. Lack information or belief sufficient to admit or deny.
77. [Did you bring the plaintiff for the interview? If so admit that allegation. Unless you stayed with the plaintiff for the interview and know what Tudeme asked the plaintiff, deny the rest.]
78. Lack information or belief sufficient to admit or deny.
79. Deny.
80. Lack information or belief sufficient to admit or deny.
81. Lack information or belief sufficient to admit or deny.
82. Lack information or belief sufficient to admit or deny.
83. Lack information or belief sufficient to admit or deny.
84. Lack information or belief sufficient to admit or deny.
85. Lack information or belief sufficient to admit or deny.
86. Lack information or belief sufficient to admit or deny.
87. Lack information or belief sufficient to admit or deny.
88. Lack information or belief sufficient to admit or deny.

- 111. Lack information or belief sufficient to admit or deny.
- 112. Lack information or belief sufficient to admit or deny.
- 113. Lack information or belief sufficient to admit or deny.
- 114. Lack information or belief sufficient to admit or deny.
- 115. Lack information or belief sufficient to admit or deny.
- 116. Lack information or belief sufficient to admit or deny.
- 117. Lack information or belief sufficient to admit or deny.
- 118. Lack information or belief sufficient to admit or deny.
- 119. Lack information or belief sufficient to admit or deny.
- 120. Lack information or belief sufficient to admit or deny.
- 121. Deny.
- 122. Deny.
- 123. Lack information or belief sufficient to admit or deny.
- 124. Lack information or belief sufficient to admit or deny.
- 125. Lack information or belief sufficient to admit or deny.
- 126. Lack information or belief sufficient to admit or deny.
- 127. Lack information or belief sufficient to admit or deny.
- 128. Deny.
- 129. Deny.
- 130. Deny.
- 131. Deny.
- 132. Deny.

133. Deny that Ms. Flores ran an illegal operation. Lack information or belief as to plaintiff's knowledge.
134. Deny that Ms. Flores ran an illegal operation. Deny that plaintiff provided free labor to Ms. Flores. Admit that plaintiff never paid the balance of his fee to Ms. Flores.
135. Deny.
136. Deny.
137. Lack information or belief sufficient to admit or deny the allegations pertaining to plaintiff's belief. Deny the remaining allegations.
138. Deny.
139. Lack information or belief sufficient to admit or deny the allegations concerning Mr. Tudeme's state of mind.
140. Deny.
141. Deny.
142. Lack information or belief sufficient to admit or deny, except deny that Ms. Flores ever threatened plaintiff.
143. Lack information or belief sufficient to admit or deny.
144. Lack information or belief sufficient to admit or deny.
145. Lack information or belief sufficient to admit or deny.
146. Deny.
147. Lack information or belief sufficient to admit or deny.
148. Lack information or belief sufficient to admit or deny.
149. Lack information or belief sufficient to admit or deny.

- 150. Lack information or belief sufficient to admit or deny.
- 151. Lack information or belief sufficient to admit or deny.
- 152. Lack information or belief sufficient to admit or deny.
- 153. Lack information or belief sufficient to admit or deny.
- 154. Lack information or belief sufficient to admit or deny.
- 155. Lack information or belief sufficient to admit or deny.
- 156. Lack information or belief sufficient to admit or deny.
- 157. Lack information or belief sufficient to admit or deny.
- 158. Deny.
- 159. Deny.
- 160. Deny.
- 161. Deny.
- 162. Deny.
- 163. Deny.
- 164. Deny.
- 165. Deny.
- 166. Deny.
- 167. Lack information or belief sufficient to admit or deny.
- 168. Lack information or belief sufficient to admit or deny.
- 169. Lack information or belief sufficient to admit or deny.
- 170. Lack information or belief sufficient to admit or deny.
- 171. Lack information or belief sufficient to admit or deny.
- 172. Lack information or belief sufficient to admit or deny.

173. Lack information or belief sufficient to admit or deny.
174. Lack information or belief sufficient to admit or deny.
175. Lack information or belief sufficient to admit or deny.
176. Deny.
177. Paragraph 177 contains a legal conclusion requiring neither an admission nor denial.
178. Paragraph 178 contains a legal conclusion requiring neither an admission nor denial.
179. Deny.
180. Deny.
181. Lack information or belief sufficient to admit or deny the allegations pertaining to Mr. Tudeme's state of mind. Otherwise, deny the allegations.
182. Lack information or belief sufficient to admit or deny.
183. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.
184. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.
185. Deny.
186. Paragraph 186 contains a legal conclusion requiring neither an admission nor a denial.

187. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.
188. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.
189. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.
190. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.
191. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.
192. Deny.
193. Paragraph 193 contains a legal conclusion requiring neither an admission nor a denial.
194. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.
195. Deny as to Ms. Flores. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants.

196. Deny.
197. Paragraph 197 contains a legal conclusion requiring neither an admission nor a denial.
198. Deny.
199. Lack information or belief sufficient to admit or deny.
200. Admit that paragraph 200 contains plaintiff's purported basis for his claim.
201. Deny as to Ms. Flores. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants.
202. Deny as to Ms. Flores. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants.
203. Deny.
204. Paragraph 204 contains a legal conclusion requiring neither an admission nor a denial.
205. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.
206. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.
207. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.

208. Lack information or belief sufficient to admit or deny.
209. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to her codefendants' conduct.
210. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to Mr. Magano's conduct.
211. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to Mr. Magano's conduct.
212. Deny as to Ms. Flores's alleged conduct. Otherwise, lack information or belief sufficient to admit or deny the allegations relating to Mr. Magano's conduct.
213. Deny.
214. Deny.

First Affirmative Defense

Plaintiff fails to state a claim to legal relief under Federal Rule of Civil Procedure 12(b)(6).

Second Affirmative Defense

Some or all of plaintiff's claims are barred in whole or in part by the applicable statutes of limitations.

Dated:

Eg Flores 06.26.19

Ellengrace Flores

Defendant, pro se

3948 59th St.

3rd Floor

Woodside, NY 11377

(917) 589 – 4117

AFFIRMATION OF SERVICE

I, Ellengrace Flores, declare under penalty of perjury that I have served a copy of the foregoing Answer by Pro Se Defendant Ellengrace Flores upon attorney for plaintiff Abigail Shechtman (Cahill Gordon & Reindel LLP, 80 Pine St., New York, NY 10005), by the following method:

Check one


☒ US Mail.

☐ Hand delivery.

☐ Fed Ex, UPS, or other private carrier.

Dated: 06.06.19

Brooklyn, NY



Ellengrace Flores

3948 59th St., 3rd Floor, Woodside, NY 11377